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SERVICE DATE - JULY 21, 2000

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-55 (Sub-No. 576X)

CSX TRANSPORTATION, INC.—ABANDONMENT EXEMPTION—  
IN GUERNSEY COUNTY, OH

Decided: July 20, 2000

On January 11, 2000, a decision and notice of interim trail use or abandonment (NITU) was served in this proceeding, authorizing a 180-day period for the Cambridge-Guernsey County Community Improvement Corporation (CIC) to negotiate an interim trail use/rail banking agreement with CSX Transportation, Inc. (CSXT). CIC wants to build a trail on a 7.79-mile portion of CSXT's Louisville Service Lane, Central Ohio Subdivision, between milepost BP-49.49 near Cambridge and milepost BP-41.70 at the end of the track at Gibson, in Guernsey County, OH. In a decision served June 16, 2000, the negotiating period was extended to July 19, 2000.

By letter filed July 18, 2000, CSXT has requested an extension of the negotiating period for an additional 60 days until September 17, 2000, in which to conclude negotiations. CSXT states that it has reached agreement with CIC for a trail, but that additional time is needed to finalize the negotiations.

An extension of the trail use negotiating period may be granted as long as the Board retains jurisdiction over the involved railroad right-of-way and the carrier is willing to continue negotiations. Inasmuch as CSXT has not consummated the abandonment and has indicated a willingness to continue to negotiate, the extension request can be granted.

The requested extension of the negotiating period will promote the establishment of trail use and rail banking consistent with the National Trails System Act, 16 U.S.C. 1247(d). Accordingly, the extension will be granted.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

It is ordered:

1. CSXT's request to extend the NITU negotiating period is granted.

2. The negotiating period under the NITU is extended for a period of 60 days until September 17, 2000.

3. This decision is effective on its service date.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams  
Secretary